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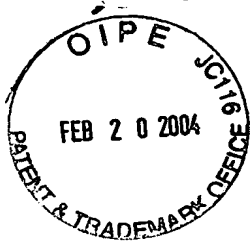
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Dkt. #639-B-PCT-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Nai-Kong V. CHEUNG  
U.S. Serial No.: 10/621,027  
Filed : July 16, 2003  
For : THERAPY-ENHANCING GLUCAN

Law Offices of Albert Wai-Kit Chan, LLC  
World Plaza, Suite 604  
141-07 20<sup>th</sup> Avenue  
Whitestone, NY 11357

February 16, 2004

Office of Initial Patent's Examination  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

**COMMUNICATION TO CORRECT FEBRUARY 09, 2004 NOTICE OF  
RECORDATION OF ASSIGNMENT DOCUMENT AND TO RE-SUBMIT  
DECLARATION AND POWER OF ATTORNEY**

This Communication is submitted to Correct February 09, 2004 Notice of Recordation of Assignment Document issued by the United States Patent and Trademark Office and to Re-Submit the Declaration and Power of Attorney in connection with the above-identified application. A copy of the January 09, 2004 Notice of Recordation of Assignment is attached as **Exhibit A** (5 pages). There is no deadline for filing this Communication, so this Communication is being timely filed.

Applicant : Nai-Kong V. CHEUNG  
U.S Serial No. : 10/621,027  
Filed : July 16, 2003  
Page : 2

The above-referenced application was filed on July 16, 2003, but the Filing Date that appears on the Recordation of Assignment Document is July 17, 2003. As proof of the correct Filing Date, Applicant hereby submits as **Exhibit B** (1 page) a copy of the postcard stamped with the date, July 16, 2003, the application was received at the United States Patent and Trademark Office.

Applicant respectfully requests that the Filing Date be correct to July 16, 2003, and that an updated Notice of Recordation of Assignment be issued to reflect this change.

The Declaration and Power of Attorney was originally sent to the United States Patent & Trademark Office at time of filing on July 16, 2003. However, the same original Declaration and Power of Attorney was returned to the Applicant's Attorney's office attached to the Recordation and Assignment Document on February 9, 2004.

Applicant hereby submits as **Exhibit C** (2 pages) the original Declaration and Power of Attorney.

Applicant believes that the application is in compliance with all regulation requirements and respectfully requests that the Examiner to whom this application is assigned render substantive Office Action.

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicant's undersigned attorney invites the Examiner to telephone at the number provided below.

No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required,



Applicant : Nai-Kong V. CHEUNG  
U.S. Serial No. : 10/621,027  
Filed : July 16, 2003  
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authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-1891.

I hereby certify that this paper is being deposited this date with the U.S. Postal Service with sufficient postage for first class mail addressed to: Office of Initial Patents Examination, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

Albert Wai-Kit Chan 2/16/04  
Albert Wai-Kit Chan Date  
Reg. No. 36,479

Respectfully submitted,

Albert Wai-Kit Chan

Albert Wai-Kit Chan  
Registration No. 36,479  
Attorney for Applicant  
Law Offices of  
Albert Wai-Kit Chan, LLC  
World Plaza, Suite 604  
141-07 20<sup>th</sup> Avenue  
Whitestone, New York 11357  
Tel: (718) 357-8836  
Fax: (718) 357-8615  
E-mail: kitchanlaw@aol.com

## DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## THERAPY-ENHANCING GLUCAN

the specification of which  
(check one)

  X   is attached hereto or  
           was filed on, as Application U.S. Serial No.  
and amended on                     . (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application of which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
<u>Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Yes</u>	<u>No</u>
<u>PCT/US02/01276</u>	<u>PCT</u>	<u>January 15, 2002</u>	<u>X</u>	<u>      </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>      </u>	<u>      </u>

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
<u>60/261,911</u>	<u>January 16, 2001</u>	<u>pending</u>
<u>                    </u>	<u>                    </u>	<u>                    </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>

And I hereby appoint:

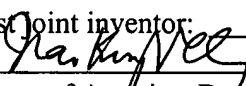
Albert Wai-Kit Chan (Reg. No. 36,479) and Mark Elkins (Reg. No. 42,510)

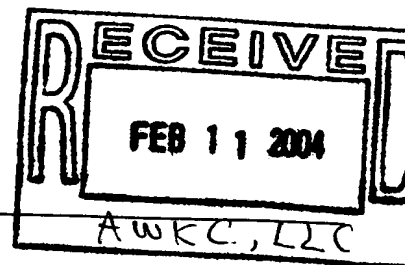
Attorney, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

Please address all communications, and direct all telephone calls, regarding this application to

Albert Wai-Kit Chan  
Law Offices of Albert Wai-Kit Chan, LLC  
World Plaza, Suite 604  
141-07 20<sup>th</sup> Avenue  
Whitestone, NY 11357  
Tel: (718) 357-8836  
Fax: (718) 357-8615

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first joint inventor: CHEUNG, Nai-Kong V.  
Inventor's signature:   
Citizenship: United States of America Date of Signature: 7/11/03  
Residence: 3 Glen Park Road, Purchase, New York 10577, United States Of America  
Post Office Address: same as the residence address



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

FEBRUARY 09, 2004

PTAS  
LAW OFFICE OF ALBERT WAI-KIT CHAN, LLC  
ALBERT WAI-KIT CHAN  
141-07 20TH AVENUE  
WORLD PLAZA, SUITE 604  
WHITESTONE, NY 11357



\*102511638A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/17/2003

REEL/FRAME: 014311/0552  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
CHEUNG, NAI-KONG ✓

DOC DATE: 07/11/2003 ✓

ASSIGNEE:  
SLOAN-KETTERING INSTITUTE FOR  
CANCER RESEARCH  
1275 YORK AVENUE ✓  
NEW YORK, NEW YORK 10021

SERIAL NUMBER: 10621027 ✓  
PATENT NUMBER:

FILING DATE: 07/17/2003  
ISSUE DATE: 07/17/2003 S/B 07/16/2003

014311/0552 PAGE 2

TARA WASHINGTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



07-30-2003

Form PTO-1595

(Rev. 03/01)

OMB No. 0651-0027 (exp. 5/31/2002)

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102511638

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Nai-Kong, CHEUNG  
3 Glen Park Road  
Purchase, NY 10577  
USA

7.17.03

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: 07/11/2003

## 2. Name and address of receiving party(ies)

Name: Sloan-Kettering Institute for Cancer Research

Internal Address: \_\_\_\_\_

Street Address: 1275 York Avenue

City: New York State: NY Zip: 10021

Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: July 16, 2003

A. Patent Application No.(s) \_\_\_\_\_

B. Patent No.(s) \_\_\_\_\_

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Albert Wai-Kit Chan

Internal Address: \_\_\_\_\_

Street Address: Law Offices of Albert Wai-Kit Chan, LLC

World Plaza, Suite 604, 141-07 20th Avenue

City: Whitestone State: NY Zip: 11357

6. Total number of applications and patents involved: ☒ 1

7. Total fee (37 CFR 3.41).....\$ 40.00

- ☒ Enclosed  
☐ Authorized to be charged to deposit account

## 8. Deposit account number:

50-1891

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## 9. Signature.

Albert Wai-Kit Chan

Name of Person Signing

Albert Wai-Kit Chan  
Signature

July 16, 2003

Date

Total number of pages including cover sheet, attachments, and documents: ☒ 3

40.00 documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

7/29/2003 DBYRNE 00000146 10621027

1 FC:8021

**ASSIGNMENT**

In consideration of One Dollar (\$1.00), and other good and valuable considerations, the receipt of which is hereby acknowledged, I, the undersigned,

NAI-KONG V. CHEUNG, residing at 3 GLEN PARK ROAD, PURCHASE, NEW YORK 10577, UNITED STATES OF AMERICA

Hereby sell, assign and transfer to SLOAN-KETTERING INSTITUTE FOR CANCER RESEARCH, a corporation of the State of New York having a place of business at 1275 YORK AVENUE, NEW YORK, NEW YORK 10021, UNITED STATES OF AMERICA, and to its successors, assigns and legal representatives, the entire right, title and interest for all countries, in and to any and all inventions which are disclosed and claimed, and any and all inventions which are disclosed but not claimed, in the application for United States Letters Patent, which has been executed by the undersigned on

7/11/03 and is entitled

**THERAPY-ENHANCING GLUCAN**

U.S. Serial No. Not Yet Known, Filed herewith, continuation-in-part of International Application No. PCT/US02/01276, Filed 15 January 2002, claiming benefit of U.S. Serial No. 60/261,911, Filed 16 January 2001

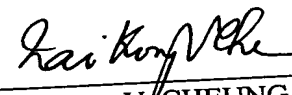
and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for United States Letters Patent or other related property rights in any and all foreign countries which have been or shall be filed on any of said inventions disclosed in said application; and in and to all original and reissued patents or related foreign documents which have been or shall be issued on said inventions;

Authorize and request the Commissioner of Patents of the United States to issue to said Assignees, the corporations above named, their successors, assigns and legal representatives, in accordance with this assignment, any and all United States Letters Patent on said inventions or any of them disclosed in said application;

Agree that said assignees may apply for and received foreign Letters Patent or rights of any other kind for said inventions, or any of them; and may claim, in applications for said foreign Letters Patent or other rights, the priority of the aforesaid United States patent application under the provisions of the International Convention of 1883 and later

modifications thereof, under the Patent Cooperation Treaty, under the European Patent Convention or under any other available international agreement; and that, when requested, without charge to, but at the expense of, said Assignees, their successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned or the undersigned's executors or administrators will, for the United States and all foreign countries, execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications or other documents on any and all said inventions; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignees, their successors, assigns and representatives, all facts known and documents available to the undersigned relating to said inventions and the history thereof; testify in all legal proceedings; and generally do everything possible which said Assignees, their successors, assigns or representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said inventions and for vesting title to said inventions and all applications for patents or related foreign rights and all patents on said inventions, in said Assignees, their successors, assigns and legal representatives; and

COVENANT with said Assignees, their successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

  
Nai-Kong V. CHEUNG

Date: July 11, 2003

Witness: 

(signature)

Kerrie Kostoue

(printed name of witness)

533 E. 83rd St. 1C

(address of witness)

New York, NY 10028-7285